

REMARKS/ARGUMENTS

A. Summary of the Amendments

The application contains 10 claims.

Claim 1 is unchanged.

Claims 8-21, previously withdrawn following a restriction requirement, have now been cancelled from the present patent application.

Claims 2, 5 and 22 have been amended to clarify the subject matter being claimed.

Claims 23-24 are new. Support for the subject matter of claim 23 can be found throughout the specification and in particular on pp.17-19 of the specification. Support for the subject matter of claim 24 can be found throughout the specification and in particular on pp.14-15 of the specification.

The Applicant submits that no new matter is being added to the instant application by the present amendment.

B. Statements of Rejection under 35 USC §103 & Reply

In the Office Action, the Examiner has rejected claims 1-7, and 22 under 35 U.S.C. §103(a) as being unpatentable over US Patent 6,826,542 (hereafter to be referred to as Virgin).

Claim 1

Claim 1 reads as follows:

- 1) *(Original) A method for handling an invoice generated at a biller and destined to a customer entity, the customer entity including a first user and a second user, said method comprising:*
 - a) *providing at the biller a first permission level and associating the first permission level to the first user, said first permission level allowing the first user to process invoices of a first type;*
 - b) *providing at the biller a second permission level and associating the second permission level to the second user, said second permission level allowing the second user to process invoices of a second type;*
 - c) *enabling either one of the first user and the second user on the basis of their associated permission levels to process over a network the given invoice.*

The applicant submits that the subject matter of claim 1 is neither anticipated nor rendered obvious by Virgin. More specifically, for the reasons presented below, the Applicant disagrees with the Examiner's rejection of claim 1 over Virgin.

As will be argued in detail below, the Applicant respectfully submits that the Examiner has failed to establish a *prima facie* case of obviousness against claim 1 on at least two separate counts.

As per §2142 of the MPEP, in order to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. And finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

The Applicant respectfully submits that the reference cited by the Examiner fails to meet at least two requirements; namely the requirement that the prior art references when combined must teach or suggest all the claim limitations, and the requirement that there

must be some suggestion or motivation to modify the references or to combine reference teachings. As such, Virgin is not sufficient to establish a *prima facie* case of obviousness.

No Motivation to Modify the Reference

The Applicant submits that the Examiner has failed to establish a *prima facie* case of obviousness on the basis that there is no motivation or suggestion to modify reference teachings in such a way as to arrive at the claimed invention.

In the Office Action dated October 13, 2005, the Examiner states that:

Virgin discloses a network where an invoicing system, e.g. 105, 115, allowing users to access the system depending upon permission level. Virgin does not explicitly use the terms associating a first/second permission level to a first/second user. To have provided a either one of a first or second user on a basis of their associated permission level to process an invoice over a network for Virgin would have been obvious to one of ordinary skill in the art. The motivation for having provided such would have been using common knowledge access privileges with the access privileges disclosed by Virgin.

The information described above and relied upon by the Examiner relates to access control to the central invoicing system and is unrelated, as far as the Applicant has ascertained, to whether or not permission levels can be provided *at the biller* to users associated with the client with respect to the processing of invoices. The access privileges disclosed by Virgin have nothing to do with permission levels associated to the ability to process a certain invoice type nor is there any indication that such permission levels are provided *at the biller*. As such, the Examiner has not shown that Virgin would have rendered obvious the subject matter of claim 1 by providing a motivation to modify Virgin. In addition, the Examiner has not shown where in the prior art such a motivation is present.

As per §2141.II of the MPEP, “when applying 35 U.S.C. 103, the following tenets of patent law must be adhered to: [...] (C) The references must be viewed without the benefit of impermissible hindsight vision afforded by the claimed invention”. It would

appear from the excerpt of the Office Action dated October 13, 2005, cited above, that the obviousness rejection at issue may have improperly been based on the applicant's disclosure.

As there is no evidentiary support for the statement that motivation to modify Virgin would have been using common knowledge, it is respectfully submitted that there is no suggestion or motivation to modify the reference teaching. As such, the Virgin reference is insufficient to present a *prima facie* case of obviousness.

The References When Combined Must Teach All the Claim Limitations

As mentioned above, the Applicant respectfully submits that the Examiner has failed to establish a *prima facie* case of obviousness on the basis that the prior art reference does not teach or suggest all the claim limitations.

Specifically, Virgin does not describe a method for handling an invoice including providing **at the biller** a first permission level and a second permission level. Rather, the Virgin reference describes as a tripartite system composed of a central invoicing system, a payor system and an invoicer system. All the processing is performed by the central invoicing system, which is distinct from the payor and the biller. The system described in Virgin resides in the **central invoicing system** (see column 7, lines 66-67). Furthermore, the system described in Virgin is **payor based** and not biller based. See for example, column 2, lines 24-25 of Virgin:

"One aspect of the invention is to provide a payor-based approach to electronic invoicing"

and column 3, lines 58-59 of Virgin:

"the invoicing system is payor-based, thus the payor can access the system and customize the format in which the payor wishes to receive invoices".

In contrast, the present application is directed to a biller-based method for handling an invoice. Claim 1 requires the steps of "providing **at the biller** a first permission level

and associating the first permission level to the first user, [...];” and “providing **at the biller** a second permission level and associating the second permission level to the second user,[...]”. In other words, in the case of claim 1, the steps of the method are performed at the biller. This is completely different from Virgin where the system is payor (or client) based.

Since the system in Virgin is associated to the payor, Virgin does not perform the steps of:

“providing **at the biller** a first permission level and associating the first permission level to the first user, [...];”

and

“providing **at the biller** a second permission level and associating the second permission level to the second user,[...]”

Accordingly, the Applicant respectfully submits that a *prima facie* case of obviousness has not been met for claim 1 since the reference cited by the Examiner does not teach all of the claim limitations and there is no suggestion to modify Virgin in order to arrive at the invention claimed in claim 1.

Accordingly, the Examiner is respectfully requested to withdraw his rejection of claim 1.

Claims 2-7

Claim 2-7, as amended, reads as follows:

- 2) *A method for handling a given invoice generated at a biller and destined to a customer entity, the given invoice being characterized by a given amount, the customer entity including a first user and a second user, said method comprising:*
 - a) *providing a first permission level and associating said first permission level to the first user, said first permission level allowing the first user to process invoices of a first type characterized by amounts in a first range of amounts;*
 - b) *providing a second permission level and associating said second permission level to the second user, said second permission level allowing the second user to process invoices of a second type characterized by amounts in a second range of amounts;*

- c) *comparing the given amount with the first range of amounts to determine whether the given invoice is an invoice of the first type;*
- d) *enabling the first user to provide payment remittance information for transmission to the biller for the given invoice if the result of the comparison in c) indicates that the given invoice is an invoice of the first type;*
- e) *comparing the given amount with the second range of amounts to determine whether the given invoice is an invoice of the second type;*
- f) *enabling the second user to provide payment remittance information for transmission to the biller for the given invoice if the result of the comparison in e) indicates that the given invoice is an invoice of the second type.*

The applicant submits that the subject matter of claim 2 is neither anticipated nor rendered obvious by Virgin. More specifically, without limiting the generality of the foregoing, the applicant submits that the above-emphasized limitations are neither taught nor rendered obvious by Virgin.

The Virgin document does not describe in any way enabling a user to provide payment remittance information. Rather, Virgin merely allows a payor to access a central invoicing system to approve an invoice. Once an invoice is approved by the payor, it is imported into the payor's financial system (see column 12, lines 41-46). Virgin is completely silent on the manner in which the invoice is then handled after the invoice is approved. More specifically, nowhere in Virgin is it taught to enable a "*user to provide payment remittance information for transmission to the biller for the given invoice*" if the result of a comparison indicates that the given invoice is an invoice of the first type.

As such, the applicant submits that the Virgin reference neither teaches nor suggests the subject matter of claim 2.

Claims 3-7 depend directly or indirectly from claim 2 and as such incorporate by reference all its limitations. Consequently, the applicant submits that the subject matter of claims 3-7 is neither taught nor suggested by Virgin.

Claim 22

Claim 22, as amended, reads as follows:

22) (Currently amended) *A method for handling a given invoice generated at a biller and destined to a customer entity, the given invoice being characterized by a given amount, said method comprising:*

- a) providing a plurality of permission levels and associating the permission levels to respective users of the customer entity, each permission level allowing the associated user to process invoices characterized by amounts in a range of amounts;*
- b) for a given permission level, comparing the given amount with the range of amounts corresponding to the given permission level to determine whether the given permission level allows processing of the given invoice;*
- c) enabling either one of the users in said plurality of users to provide payment remittance information for the given invoice on the basis of the comparisons in b).*

The applicant submits that the subject matter of claim 22 is neither anticipated nor rendered obvious by Virgin. More specifically, without limiting the generality of the foregoing and for the same reasons as those set forth with respect to claim 2, the applicant submits that the above-emphasized limitations are neither taught nor rendered obvious by Virgin. As such, the applicant submits that claim 22 is patentable.

Claims 23-24

New claim 23 reads as follows:

23) *A method for handling an invoice generated at a biller and destined to a customer entity, the customer entity including a first user and a second user, said method comprising:*

- a) receiving at the biller registration information associated to the first user, the registration information including a user identifier associated with the first user;*
- b) receiving at the biller registration information associated to the second user, the registration information including a user identifier associated with the second user;*
- c) providing at the biller a first permission level and associating the first permission level to the first user, said first permission level allowing the first user to process invoices of a first type;*
- d) providing at the biller a second permission level and associating the second permission level to the second user, said second permission level allowing the second user to process invoices of a second type;*
- e) enabling either one of the first user and the second user on the basis of their associated permission levels to process over a network the given invoice.*

The applicant submits that the subject matter of claim 23 is neither anticipated nor rendered obvious by Virgin. Without limiting the generality of the foregoing, the

applicant submits that Virgin neither teaches nor suggests the above-emphasized limitations of claim 23.

More specifically, the language of claim 23 is similar to that of claim one with the following two features added:

- a) receiving at the biller registration information associated to the first user, the registration information including a user identifier associated with the first user;
- b) receiving at the biller registration information associated to the second user, the registration information including a user identifier associated with the second user;

Consequently, for the same reasons as those set forth with respect to claim 1, the applicant submits the subject matter of claim 23 is neither taught nor rendered obvious by Virgin.

Moreover, the Applicant submits that, in addition to the reasons described with respect to claim 1, the following features of claim 23 are neither taught nor rendered obvious by the Virgin document:

- a) receiving **at the biller** registration information associated to the first user, the registration information including a user identifier associated with the first user;
- b) receiving **at the biller** registration information associated to the second user, the registration information including a user identifier associated with the second user;

As described above, the system described in **Virgin is payor based and not biller based**. See for example, column 2, lines 24-25 of Virgin:

"One aspect of the invention is to provide a payor-based approach to electronic invoicing"

and column 3, lines 58-59 of Virgin:

"the invoicing system is payor-based, thus the payor can access the system and customize the format in which the payor wishes to receive invoices".

In contrast, the present application is directed to a biller-based method for handling an invoice. Claim 23 requires the steps of “receiving **at the biller** registration information associated to the first user [...]” and “receiving **at the biller** registration information associated to the second user [...]” where the first and second users are associated to the customer entity. This is completely different from Virgin where the system is payor based. Rather in Virgin, the billers have to register for a given client instead of the clients having to register (see Fig. 3 and column 7, lines 10-58).

As such, the applicant submits that the Virgin reference neither teaches nor suggests the subject matter of claim 23.

Claim 24 depends directly or indirectly from claim 23 and as such incorporates by reference all its limitations. Consequently, the applicant submits that the subject matter of claim 24 is neither taught nor suggested by Virgin.

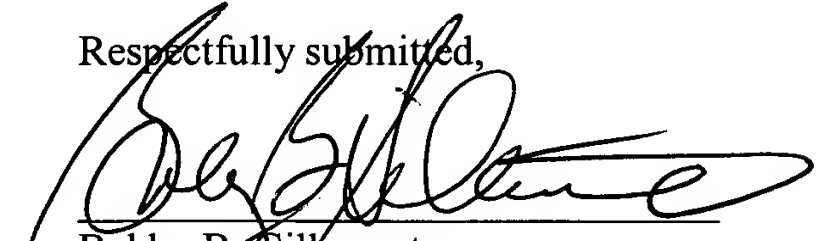
CONCLUSION

It is respectfully submitted that claims 1-7 and 22-24 are in condition for allowance. Reconsideration of the objection is requested. Allowance of claims 1-7 and 22-24 at an early date is solicited.

If the claims of the application are not considered to be in full condition for allowance, for any reason, the Applicant respectfully requests the constructive assistance and suggestions of the Examiner in drafting one or more acceptable claims or in making constructive suggestions so that the application can be placed in allowable condition as soon as possible and without the need for further proceedings.

To the extent necessary, a petition for an extension of time under 37 C.F.R. §1.136 is hereby made. To the extent additional fees are required, please charge the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 02-1010 (32423/82535) and please credit any excess fees to such deposit account.

Respectfully submitted,



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